

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

United States Courts
Southern District of Texas
FILED

May 21, 2025

Nathan Ochsner, Clerk of Court

United States of America

v.

Delbert FLANDERS

Case No. **4:25-mj-310**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 9, 2025 through May 19, 2025 in the county of Fayette in the

Southern District of Texas, the defendant(s) violated:

Code Section

8 United States Code 1324

Offense Description

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law.

This criminal complaint is based on these facts:

Continued on the attached sheet.



Complainant's signature

Mitchell Lundquist Special Agent

Printed name and title

May 21, 2025

City and state: Houston, TX



Judge's signature

Yvonne Ho, U.S. Magistrate Judge

Printed name and title

4:25-mj-310

AFFADAVIT

On May 19, 2025, Homeland Security Investigations (HSI) Special Agents (SAs) received a call from the Fayette County Sheriff's Office (FCSO) informing that they had encountered a failed human smuggling attempt.

At approximately 11:00 a.m., FCSO Officer Thurman conducted a traffic stop of a white Dodge Van bearing Texas License Plates VVB 3940 at the 658 eastbound marker on Interstate 10 for failing to display a front license plate. Deputy Thurman identified Adanayli LAMBERT Reyes as the driver, and Lency DELGADO Fernandez as the passenger. Lency DELGADO Fernandez is the current registered owner of the white Dodge Van bearing TX LP VVB 3940. While conducting the traffic stop Officer Thurman observed a white Ford truck pulling a large gooseneck trailer loaded with round bales of hay stop behind the van.

Officer Thurman explained the reason for the traffic stop to LAMBERT and DELGADO and asked about the white Ford pickup. LAMBERT and DELGADO stated the vehicle behind them (white Ford pickup) was a friend who was traveling with them. Due to difficulty of LAMBERT and DELGADO speaking Spanish as their primary language, Officer Thurman asked LAMBERT and DELGADO if the driver of the second vehicle spoke English to which they confirmed.

Officer Thurman then contacted the driver of the white Ford pickup and identified him as Delbert FLANDERS. FLANDERS was driving a 2016 White Ford pickup bearing temporary Texas Tag 1P9590V. The previously mentioned white Ford pickup is registered to MTR Auto Group LLC. The trailer was a gooseneck trailer carrying round bales of hay bearing temporary Texas Tag 7948X88. The previously mentioned gooseneck trailer is registered to Lency DELGADO Fernandez.

Ultimately, all three individuals admitted they were traveling together in tandem. They stated they had travelled from Houston, TX to Mission, TX then to San Antonio, TX and now on their way back to Houston, TX. While speaking with the three individuals, Officer Thurman observed conflicting stories regarding specific travel details, purposes, and routes taken which led to Officer Thurman asking FLANDERS for consent to search the white Ford pickup and trailer to which FLANDERS agreed to.

During a search of the hay bales on the trailer, Officer Thurman discovered a false compartment constructed inside the round hay bales. Hidden within the hay bales, inside the compartment, were 12 undocumented individuals (UDIs). Of the 12 UDIs 9 were citizens of Guatemala, 1 citizen of Mexico, 1 citizen of El Salvador, and 1 citizen of China. In addition, 2 of the 12 UDIs were unaccompanied juveniles.

While on scene of the traffic stop FLANDERS became ill and requested to be transported to a hospital. FLANDERS was then transported to a hospital in Smithville, TX, and then transferred to a hospital in Austin, TX.

LAMBERT, DELGADO and the 12 UDIs were then transported to the FCSO Office near La Grange, TX for further interview and processing. HSI SAs responded to the FCSO office for further assistance.

HSI SAs Lundquist and Marrero advised Jose RAMIREZ Cael of his Miranda Rights to which RAMIREZ Cael understood and was willing to make a statement without a lawyer present.

RAMIREZ Cael stated he is a citizen of Guatemala and illegally present within the United States. RAMIREZ Cael stated he paid 230,000 quetzals to be smuggled into the United States to Houston, TX. RAMIREZ Cael stated on Sunday May 18, 2025, he illegally crossed into the United States by hiding in a truck bed as the truck crossed through a port of entry near Reynosa, Mexico. RAMIREZ Cael stated after he crossed into the United States he was dropped off on the side of the road at an unknown location. RAMIREZ Cael stated while on the side of the road a white pickup truck with a trailer picked him up from the side of the road. RAMIREZ Cael stated this was the same white pickup truck and trailer that he was discovered in by the police. RAMIREZ Cael stated a brown skinned male who spoke Spanish instructed him to get into the compartment in the trailer. RAMIREZ Cael stated the brown skinned male was the same individual in which he was stopped by the police with. RAMIREZ Cael stated he got into the trailer and there were already UDIs inside. RAMIREZ Cael stated once get was inside the trailer they made 2 stops prior to being discovered by the police. RAMIREZ Cael stated when they were stopped by the police, that was the first time he saw the white male and Hispanic female in which they were stopped with.

HSI SAs Pawson and Rosenau advised Blanca Noemy VENTURA De Hernandez of her Miranda Rights to which RAMIREZ Cael understood and was willing to make a statement without a lawyer present. The interview was recorded and with the use of the Lionbridge language line.

VENTURA departed her home country of El Salvador in November of 2024. She travelled by bus to Guatemala where she remained for only one day at a hotel. VENTURA purchased the bus ticket and her room with her own money. VENTURA then departed Guatemala via a bus to Mexico. VENTURA believes she entered Mexico near Tapachula. She then traveled by bus to Matamoros, Mexico where she claims to have remained for approximately five months. While in Matamoros, VENTURA obtained a job and rented a room so she can save money to make her entry into the United States.

VENTURA explained that she departed Matamoros approximately three weeks ago after connecting with an unidentified woman that coordinated VENTURA'S crossing. VENTURA ultimately crossed the river in a raft and was brought to a grey truck with two doors parked near the U.S. Border. VENTURA was put into the rear bed area of the truck. The vehicle was driven by a white female that was approximately 45 to 50 years of age. The woman drove for approximately five to 10 minutes to a house. VENTURA was the only person at this house and remained there for approximately one hour. Then, a Mexican man with light skin, approximately 35 years of age and had tattoos on his hands picked her up, then drove her to another house. This

drive took about three hours. VENTURA believes this house was located in McAllen, Texas. Also present in this house was a Mexican couple with a child. While at this house, VENTURA had no phone or ability to contact anyone. She was provided with a room, and food was left outside her door. She claimed not to have been mistreated at this location. VENTURA remained at this house until Sunday (this interview was conducted on Tuesday, May 20, 2025, indicating her departure was May 18, 2025). When VENTURA left this house, she was brought to another house where she remained until approximately 6:00 am on Sunday, May 18, 2025.

At approximately 6:00 am, on May 18, 2025, VENTURA and others were taken from this “stash” house one by one to a trailer staged outside the house. This was the same trailer she and the others were found in during the traffic stop. VENTURA stated a black man with a hat directed her into the hay. She stated this man had tattoos on his arms and shoulders. VENTURA stated that this man told her and others in her “space” not to move or make noise.

VENTURA explained that she was aware that she would travel in these hay bales for approximately five hours. She believes she was actually in these hay bales for four hours when she and the others were discovered. VENTURA was placed in a space with three others. She nor the other aliens were provided with food, water, a method to communicate with the driver, or any emergency exit in case any of the aliens become ill. VENTURA could not get out of the bales without the help of the smugglers. VENTURA states she was hot, and she as well as others were being “asphyxiated.” VENTURA claimed that her legs began to cramp from the heat. VENTURA stated none of the aliens in her space became ill. She could not answer for the aliens in the two other spaces because she could not see or hear them. VENTURA stated she paid \$4,500 dollars to the woman she met in Matamoros to cross into the United States. VENTURA stated her ultimate goal was to be smuggled to Houston, TX.

On May 20, 2025, Delbert FLANDERS was released from the hospital in Austin, TX. HSI SAs from the Austin, TX office spoke with FLANDERS at the hospital and informed him he was not under arrest or detained at the time but asked if he would be willing to travel to Houston, TX with HSI SAs to speak with SAs regarding this human smuggling event to which he consented. FLANDERS was then transported by HSI SAs from Austin, TX to Burton, TX where HSI SAs from the Houston, TX office received him and further transported him to the HSI Houston, TX office.

HSI SAs Lundquist and Vega advised Delbert FLANDERS of his Miranda Rights to which FLANDERS understood and was willing to make a statement without a lawyer present.

FLANDERS stated he is from Hutchinson, KS and was hired by an individual who he knows from Hutchinson, KS to transport for him. FLANDERS stated at the time he was offered, which was approximately two weeks ago, he did not know what he was going to be transporting but he would make \$1,500 USD to \$2,000 USD per trip he completed. FLANDERS stated after accepting the job he spoke with his girlfriend, Robin, who is a mutual friend of the individual who offered him the job, and she informed him that she spoke with the individual who told her

that FLANDERS would be transporting undocumented individuals from South Texas to Houston, TX. Robin also informed FLANDERS that previous individuals who had transported for this individual had been arrested for federal violations of transporting undocumented individuals. FLANDERS stated Robin told him about this conversation and FLANDERS still agreed to accept the job. HSI SAs asked FLANDERS if he spoke with the individual who hired him after learning he would be transporting undocumented individuals about what exactly he would be doing to which FLANDERS stated he did not and that the less he knew the better. FLANDERS stated he provided a copy of his ID to the individual who then purchased him a plane ticket to fly from Hutchinson, TX to Houston, TX.

FLANDERS stated approximately two weeks ago he arrived in Houston, TX and was picked up by an unknown Hispanic male and brought to a hotel. FLANDERS stated this Hispanic male purchased the hotel for him and provided him with money for food during his time in Houston, TX. FLANDERS stated he previously completed one trip with this organization. FLANDERS stated for the first trip he was driven by the same Hispanic male to a gas station in Houston, TX where a white Ford pickup truck with a trailer full of hay bales was waiting on him. FLANDERS stated in addition to the white pickup truck and trailer there were other individuals there to include a white Dodge Van with one male and one female. FLANDERS stated these two individuals were the same two he was stopped by police with on May 19, 2025. FLANDERS stated he was instructed to follow the white Dodge van to McAllen, TX and then follow them back to Houston, TX after. FLANDERS stated prior to leaving on the first trip he was paid \$1,500 USD. FLANDERS stated they traveled to McAllen, TX and stayed the night ultimately returning to Houston, TX the next day. FLANDERS stated he dropped the truck and trailer back off to the same gas station where he received it and was then taken back to the hotel where he was staying. FLANDERS was then shown USBP checkpoint crossing photos from May 9, 2025, of a white Ford pickup truck with a trailer hauling bales of hay which he admitted was him, in the photo driving the pickup truck. FLANDERS stated during the first trip he did not see any undocumented individuals get in or out of the bales of hay. FLANDERS was then asked about the second trip and stated he was again picked up from his hotel and taken to the same gas station where a different white Ford pickup truck was waiting for him, already loaded with bales of hay. FLANDERS stated he again followed the same two individuals in the white Dodge van back to McAllen, TX where they dropped off the truck and trailer at a residence and then the three traveled to a hotel in McAllen, TX and stayed the night. FLANDERS stated the hotel was paid for by the male individual from the white Dodge van. FLANDERS stated once at the hotel he realized again that something was off because he noticed it was the same hay bales that he transported previously. FLANDERS stated at that time he thought he could be transporting narcotics. FLANDERS stated the next morning he was taken to the white Ford pickup truck where he got in and began to head back to Houston, TX following the white Dodge van. FLANDERS stated he had to stop several times on his way back because he was sick and needed to throw up. FLANDERS stated after crossing the USBP checkpoint he informed the individuals in the white Dodge Van that he needed to go to a pharmacy to obtain medicine. FLANDERS

stated they traveled together to a nearby pharmacy where the male purchased his medicine for him.

FLANDERS stated between the two trips the male from the white Dodge van provided him with money for fuel for the pickup trucks as well as any food or drinks he needed along the way. In addition, FLANDERS stated the male told him what he needed to say to USBP Agents upon arriving the USBP checkpoint.

AUSA Anthony Franklyn was notified of these facts and agreed to prosecute FLANDERS for violation of Title 8 USC 1324. VENTURA De Hernandez and RAMIREZ Cael were held as Material Witnesses.



Mitchell Lundquist
Homeland Security Investigations
Special Agent

Submitted by reliable electronic means sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on May 21, 2025, and I find probable cause.


Yvonne Ho, U.S. Magistrate Judge